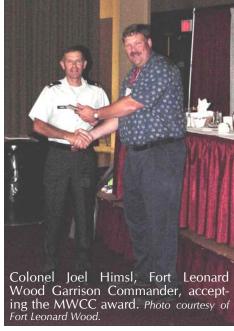
Fort Leonard Wood's Award Winning Solid Waste Program

By Jim Carter
Physical Scientist
Ft. Leonard Wood, Directorate of Public Works

United States Army Maneuver Support Center and Fort Leonard Wood, Directorate of Public Works Environmental Division (DPW-EE) has recently received the Missouri Waste Control Coalition's (MWCC) Outstanding Achievement Award for successfully instituting a comprehensive solid waste management program consisting of pollution prevention, resource recovery and recycling. Colonel Joel Himsl, Fort Leonard Wood Garrison Commander, accepted the award on 9 July 2002 during the MWCC's annual meeting. The MWCC is a dedicated group of individuals, companies, regulatory agencies, and concerned citizen groups who promote new technologies and sound waste management practices. They also recognize organizations, individuals, and businesses that contribute significantly to the management and/or control of solid waste in Missouri.

The capstone of the DPW solid waste management strategy is the recycling program. The Recycling Program consists of a residential curbside pickup program, vard waste composting site, petroleum-contaminated soil farm, as well as recycling for used oil, anti-freeze, fluorescent bulbs, and ferrous and non-ferrous metals. Curbside recycling collection along with more than 2,000 indoor and 100 outdoor paper-recycling containers facilitate a convenient, user-friendly collection process. In addition to collection containers located at the Recycling Center, there are 6 multi-material collection sites located throughout the installation. Individuals and organizations outside our community have recognized the significant results of the efforts at Fort Leonard Wood. The Ozarks Rivers Solid Waste Committee, Region K, recently recognized the DPW for its achievement in recycling 39% of the solid waste stream generated during



2001. Profits from the sale of materials recycled are returned to the Fort Leonard Wood community through the Directorate of Moral, Welfare and Recreation services, as well as projects that are environmentally and public safety oriented.

In addition to the recycling program, (Continued on page 8)



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Chief Commentary

Bart Ives - CREO Chief/DoD Region VII REC bart.o.ives@usace.army.mil

Myself and other members of the CREO staff recently attended a DoD Regional Environmental Coordinators (DoD RECs) Conference and State Legislative/Regulatory Affairs Workshop in Williamsburg, VA. The fact that a forum like this took place is an indication of the recognition by OSD and the Services of the role that the DoD REC's can play in outreach to external entities. One of the primary goals is to provide a consistent message on the DoD's Range Readiness and Preservation Initiative and also on sustainment and encroachment issues.

All of the DoD RECs met in Williamsburg over a two-day period to enhance their *State Legislative/Regulatory Affairs* programs and *Outreach* efforts. By educating state legislators and regulators, and selectively testifying on proposed state legislation and regulation, the DoD RECs seek to reduce impacts on DoD operations from unnecessary, overly restrictive, inconsistent, or excessively costly state environmental requirements. Recently promulgated antiencroachment legislation passed in the State of California serves as a prime example on how RECs are making a difference. Closer to home, the CREO staff has an aggressive program to monitor and provide comment and testimony as appropriate on legislative and regulatory proposals originating in states within EPA Regions 6 and 7. Through pivotal groups such as the National Conference of State Legislatures (NCSL) and the Environmental Council of States (ECOS) the DoD RECs are planning to expand their outreach efforts to enlist support for environmental legislative and encroachment relief for DoD.

Speakers at the DoD REC Conference/Workshop included the Deputy Assistant Secretary of the Navy (Environment), the CEO of Stateside Associates, Virginia's 56th District Delegate, the Senior Director of State Affairs for the Chlorine Chemistry Council, the Deputy Director of Legislative Affairs of the National Association of Counties, and DoD Deputy General Counsel (Environment & Installations). The Army Northern Regional Environmental Office hosted the conference.

We all came away with a better understanding of how we in the DoD community should be working in concert to deliver a unified message to state legislative and regulatory bodies. By assisting state legislators with making informed decisions, it should help to assure the long-term viability and sustainability of our installations and facilities across the country.

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Correction Correction Correction

The following corrections are made to an article that appeared in the Environmental Monitor's 2002 Issue III, page 3, on Ms. Pamela A. Whiteman. Ms. Whiteman is the Director of Environment & Safety at Fort Riley, not "Acting" Director as the article stated. Also, Ms. Whiteman did not "author" the Army Transformation EIS, she was a preparer. The Monitor's editorial staff apologizes for any misunderstanding this may have caused.

CREO Participation Calendar DoD REC Region 7 Army RECs Regions 6 & 7

- **12/4-6** EPA Compliance Assistance Forum, San Antonio, TX
- **12/10-11** Joint Meeting of the Southwest Strategy and Texas Environmental Partnership, Austin, TX
- 12/5 Southwest Strategy Tribal Relations Workgroup, Abq., NM
- 1/6-8 Army REO Attorney's Conference, Denver, CO
- 1/TBD Missouri Military Environmental Group Meeting, TBD
- 2/26-28 Federal Facilities EMS Training, New Orleans, LA
- **3/18-19** DSMOA Workshop, Colorado Springs, CO
- **3/18-19** Kansas Works 2003 Conference, Winfield, KS
- 3/TBD Army Environmental Training Session, Kansas City, MO
- **4/7-10** NDIA Environmental & Energy Symposium, Richmond, VA
- 5/8-9 Region 7 Environmental & Safety Symposium, Kansas City, MO
- **8/TBD** Region 7 EMS Workshop, Kansas City, KS

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Texas Army National Guard Organization Wins Three Environmental Awards

By Derek Del Rosario

Communications Intern Texas Army National Guard Environmental Resource Management Branch

Located in the capital of Texas, Camp Mabry is the site of the Texas Army National Guard (TXANG) Headquarters. It is also home to many organizations, one of which has been recognized for its hard work to protect and improve the quality of the environment.

The Texas Army National Guard Environmental Resources Management Branch (ERMB) has been recognized with three national awards for the 2002 fiscal year. The organization won The National Guard Bureau Minuteman Award for Reduction of Permits, The Army National Guard Environmental Security Award for Individual Cultural Resource Management and The Army National Guard Environmental Security Award for Environmental Quality, Non-Industrial category.

The organization's reduction of storm water permits was acknowledged with a separate National Guard Bureau Minuteman Award. The ERMB was able to reduce the number of storm water permits by 43 in Texas, more than in any other state in the U.S.

Under the Clean Water Act, storm water permits are required for certain industrial operations. Valerie Stein, Environmental Program Manager of the ERMB, is well aware of the impact of

reducing these permits.

"Permits are restrictive, cost money and have the potential to lead to violations," said Stein. "Reducing the number of permits greatly lowers the organization's liability by allowing less discharge.



Historical Structures like this bridge and dam at Camp Mabry are important to maintain. Preservation of historical structures is one of the many tasks for the Texas Army National Guard Environmental Resource Management Branch.

Photo of dam taken by TXANG Communications Intern, Caleb Horn; bridge photo courtesy of the TXANG.

It also promotes an outstanding pollution prevention program."

The Individual Cultural Resources Management Award recognizes an individual's efforts to promote cultural resources, such as historical buildings Cultural Resource Manager of the TXANG, Shellie Sullo Prewitt, was the recipient of this award, based partially on her oversight of documentation of Historic District Buildings at Camp Mabry. Prewitt received a Heritage Painting as recognition for her outstanding contribution to historic preservation and cultural resource management.

or archaeological sites. The

The Camp Mabry Historic District Maintenance and

Treatment Plan addresses the building deficiencies of Camp Mabry, as well as the corrective actions and cost estimates for renovation.

"Based on the report, the Texas Army National Guard was able to swiftly benefit from state legislative funding for needed repairs of state maintained buildings," said Sharon K. Jones, Compliance Coordinator of the ERMB. "Ms. Prewitt's dedication, hard work and initiative have made a valuable and lasting impact on the preservation of Texas' colorful history."

The Non-Industrial Installation Environmental Quality Award recognized the organization's accomplishments and numerous partnerships that have helped in supporting resource conservation and mission readiness. The ERMB received the prestigious Eagle Award, the highest

Projects such as the Tank Creek Crossing in Ft. Wolters has helped the TXANG Environmental Resource Management Branch support military mission sustainability. The crossing, completed in Feb. 2002, allows tanks to cross while also preventing erosion from occurring in the creek. *Photo courtesy of the TXANG.*

(Continued on page 9)

Fort Polk Extends Training Area in Kisatchie National Forest and Addresses Environmental Concerns

By Carita Jordan

Daily Town Talk - Alexandria, LA September 19, 2002 Thursday Army extends Kisatchie training area (original title) (photos did not appear with original article)

Fort Polk - Lush green surroundings make the Kisatchie National Forest ideal for country living - and U.S. Army training.

The Army recently received permission to extend its training activities in the forest's Vernon Unit.

"This allows our soldiers to undergo light duty training," Fort Polk spokesman Ron Elliott said. Because the training area is near houses, the Army has taken precautions to make sure it doesn't disturb local residents.

"The military has historically used the area (for training)," said Stacy Bashman Wagner, an environmental scientist with the Fort Polk Environmental Office.

Several meetings with the public and

U.S. Forest Service officials focused on the military's commitment to protect the environment, she said.

"Some residents were concerned about the noise from simulated artillery and (military) vehicles," Wagner said.

Ongoing military training will be conducted in the limited-use area of the Vernon Unit of the

Sgt. 1st Class Lee Garrison arrives to inspect the field site for the 55th Signal Company at Ft. Polk, LA as part of the Joint Readiness Training Center rotation.

Photo by PFC Michael Karp, 55th Signal Company, Ft. Polk, Louisiana.

forest. The area covers nearly 45,000 acres. Fort Polk's main post covers about 104,000 acres. Of that, 40,000 acres is leased to the military through a special-use permit pact.

The 40,000 acres are called the intensive-use area, where visiting troops at the Joint Readiness Training Center and regular

Fort Polk troops perform intense training for days at a time.

About two years ago, Fort Polk joined forces with the Forest Service to expand the military training area.

The military has used Kisatchie since the 1940s, Bashman said.

Soldiers fire live rounds at Peason Ridge in Natchitoches Parish. The intensive training area is near Pitkin.

The limited-use area will be used by soldiers training at the Joint Readiness Training Center at Fort Polk as well as the 2nd Armored Cavalry Regiment and other Fort Polk-based troops.

The Army will practice cross-country vehicle maneuvers, including stream crossings at permitted sites, in the limited-use area. Troops also will practice blackout driving, use of pyrotechnics and artillery, limited digging, use of obstacles such as concertina wire and simulated mines, and setting up support areas such as field hospitals.

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As part of a training scenario, U.S. soldiers evacuate a wounded soldier at Fort Polk, LA. The exercise was held during Joint Readiness Training Center Rotation.

Photo by Cpl. Cory Montgomery, 55th Signal Company, Ft. Polk, Louisiana.



The 3rd Battalion, 3rd Armored Cavalry Regiment training as part of the Joint Readiness Training Center rotation.

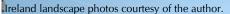
Photo by PFC Michael Karp, 55th Signal Company , Ft. Polk, Louisiana.

What the Irish Can Teach Us About Environmental Stewardship A CREO staff member's first-hand account

By Steve Scanlon
Army REC Region VII, CREO

Ever wonder what changes in our consumption habits might be necessary if we lived on an island? Truthfully, I hadn't really considered this question either until I vacationed in Ireland recently.

It was my first trip to the Emerald Isle. The unspoiled beauty of its rolling hills, lush meadows and lakes rich in trout and salmon was everything I had dreamed of all my life. Like many tourists, I traveled the countryside in a rental car, staying in quaint bed and breakfast cottages throughout the Republic and





Northern Ireland, and enjoying the famous Irish hospitality. However I couldn't help but be struck by how "different" life was in this island nation.

It reminded me of an earlier era in America, before everything became "disposable." Once you journey outside Dublin, you won't find the ubiquitous paper towel dispenser in restrooms. Nor will you find paper napkins in a restaurant. You'll dine on real plates, using silverware and a linen napkin just as if you were having supper at home. The glasses are glass – not Styrofoam.

You won't see unsightly litter plastering the hedgerows and filling the gutters of historic towns and villages. Even so, you'll be hard pressed to locate a trash can in a public place. You just don't need them. When you stop to refuel your vehicle, the gas station won't have trash cans by the pumps. Neither will you find a convenience mart stocked with a myriad of beverages in plastic

bottles and copious quantities of products sealed in plastic wrap, aluminum foil, or some other synthetic packaging with a half-life of a million years.

You may be saying, "Well yes, but what about the grocery stores?" First, you won't find very many "super markets" like we are accustomed to. Again, it is like life in the United States decades ago. Fresh produce, meat, etc. are purchased in a small market, bakery or butcher shop. What's more, you'll probably have your own cloth bag to carry your purchase home. No clerk at the checkout asking "Paper or plastic?"

In the countryside, you won't encounter discarded cans on the beach or plastic six-pack holders to strangle wildlife. They do use glass for things like salt and peppershakers, catsup bottles, etc. However most of these containers are re-used over and over again – or are recycled.

Energy consumption is also minimized. My room at the B&B was always comfortable and usually included a private bathroom. But the proprietor didn't rely on a large water heater to supply the guests with hot water for showers or hand washing. Individual water heating units—that heat only the water you use to take a shower—are the norm. (You can now find some of these units here in the States at places like Home Depot.) Although your shower will always be as hot as you



like it, you won't see massive infrastructure on the island to generate and transmit electricity.

Despite the significant differences in the way I am accustomed to living and the lifestyle I found in this oasis on the Irish Sea, I never felt deprived of anything that made life safe, comfortable, and convenient. It was just different. The Irish rely heavily on tourism. So, their pristine landscape is an asset worth pro-



tecting. They can't afford landfills devouring large chunks of real estate. Hence, the conscious decision to limit the use of paper and plastic products, in favor of items that can be washed and re-used.

The Irish have always relied on the sea and their fresh water resources for food. They are very careful with what they allow to enter their streams and rivers. You don't have to be concerned about the purity of the water you drink virtually anywhere on the island.

In short, the Irish live every day in a manner that is as modern and enjoyable as any place you'd care to consider. Yet they preserve what they have by remembering lessons we seem to have forgotten – about the value of community, the glory of unspoiled nature, and the joy of knowing that they leave a legacy of individual responsibility for the environment and quality of life for future generations.









Matters of Interest to All DoD Components

Legally Brief

Congressional Authority to Pass Environmental Laws

By Stanley Rasmussen

CREO Regional Counsel

Where do they get the authority? Have you ever wondered where Congress gets the authority to pass environmental laws? Under the United States system of government, Congress gets its authority to make law from the Constitution. However, if you read the Constitution, you will not find the word "environment" contained anywhere within. So, where does authority come from?

The authority to pass laws regulating the environment comes from the clause in the Constitution commonly referred to as the "Commerce Clause." The Commerce Clause is found in the Constitution in Article 1, Section 8, Paragraph [3], which states that Congress shall have the power to "regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes." That's it! That is where Congress has found tremendous authority to impose a variety of laws upon the citizens of the United States. The Commerce Clause has been recognized by the Supreme Court as "one of the most prolific sources of national power," and I can still recall my law school Constitutional Law professor saying he felt that this clause is the most powerful provision within the Constitution. Although other Constitutional provisions such as the spending power, the treaty power, and the Property Clause also provide some degree of Constitutional authority for Congress to pass environmental laws, it is the Commerce Clause which is most cited as the authority to protect wildlife, natural resources, and the environment.

The Commerce Clause is the primary

constitutional authority for major environmental laws such as the Clean Air Act, the Clean Water Act and the Endangered Species Act. The Commerce Clause not only provides the justification for environmental regulation, but also provides the basis for a large portion of federal legislation. Just think of the variety of agencies and programs for which Congress passes laws that would not be possible without the Commerce Clause. Agencies such as the Department of Transportation, Federal Aviation Administration, Department of Agriculture, Food and Drug Administration, and Environmental Protection Agency probably would not even exist if it were not for the Commerce Clause. A multitude of programs regulating such things as food quality, highway spending, automobile safety, and even much of the Civil Rights legislation has its foundation in the Commerce Clause.

Since early in our nation's history, Congress' power under the Commerce Clause has been well supported by the Supreme Court. As early as 1824, the Supreme Court was strongly supporting the broad power of Congress under the Commerce Clause. In the case of Gibbons v. Ogden, the Supreme Court ruled that Congress has power under the Commerce Clause to regulate navigable waters. The Court went on to say of the Commerce Clause: "This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations, other than are prescribed in the Constitution."

Since then, federal courts have uniformly held that the power conferred by the Commerce Clause is broad



enough to permit congressional regulation of activities causing air or water pollution, or other environmental hazards that may have effects in more than one state

Generally, the Commerce Clause logic is that if there is a reasonable argument that something can possibly impact interstate commerce, then Congress has the power to enact laws concerning the particular issue. However, the power of the Commerce Clause is not limited simply to congressional authority to enact environmental legislation. The Commerce Clause also serves to constrain state environmental regulation. Under the "dormant Commerce Clause" doctrine, states are prohibited from discriminating against or excessively burdening interstate commerce. Amazingly, under this doctrine, trash and pollution have been treated as protected commerce!

In the Supreme Court case of Philadelphia v. New Jersey, the state of New Jersey was worried about its rapidly filling landfills. Accordingly, the New Jersey Assembly enacted a law prohibiting the importation into New Jersey of waste generated in other states. However, this law was determined to be unconstitutional under the dormant Commerce Clause doctrine. In issuing it's ruling, the Supreme Court said that it was immaterial whether New Jersey's real purpose was to protect its environment or to favor local industry. By the simple fact that New Jersey was discriminating against articles of commerce (in this case trash) without a showing that the trash posed an immediate danger to health, the court ruled that New Jersey's law was unconstitutional. (Such an argument could be used to support quarantine

(Continued on page 9)

Regional Environmental Offices The Installation "Go-To" Resource

By Robert Boonstoppel NREO Regional Counsel

For many military installation environmental managers and environmental law specialists, the Army Environmental Center's Regional Environmental Offices (REOs) are knowledgeable resources that can help resolve sticky issues involving state regulations and legislation. Yet, even though the REOs have been a fixture of the Department of Defense (DoD) since 1995, some installations and even DoD agencies are only now discovering their value.

The Regional Environmental Coordinators (RECs) and Regional Counsel who staff REOs are the "go-to guys" for state regulatory and legislative questions. They support the Army/DoD mission by working to reduce inconsistent or inappropriate environmental legislative and regulatory requirements of the military. Small teams of regulatory and legislative experts, REOs have the ability to rapidly coordinate responses to environmental concerns that may adversely impact military training, readiness or environmental security. The partnerships they help establish among installations and state regulators enhance the nation's military readiness and promote environmental stewardship.

In 1994, the Deputy Under Secretary of Defense for Environmental Security

committed the Department of Defense to establishing RECs in each of 10 EPA regions in the United States. Their mission: to ensure greater coordination among the services of state and regional environmental issues that adversely impact military training and operations. DoD gave the U.S. Army executive agent responsibility for four of those EPA regions (4, 5, 7 and 8), and assigned the other six to the Air Force and Navy. The following year, the U.S. Army Environmental Center established Regional Environmental Offices on behalf of the Army REC executive agent, the Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health), in each of the four locations throughout its regions it had been assigned.

Today, REOs serve as the focal point for information and coordination of state and regional environmental issues related to Army activities. The REO staffs review pending and changing state regulations and legislation. When appropriate, they provide comments or testimony. They help installations understand how changes might affect them or how to minimize negative affects. REOs also help develop and facilitate successful partnership programs among state regulatory agencies and installations in all service components.

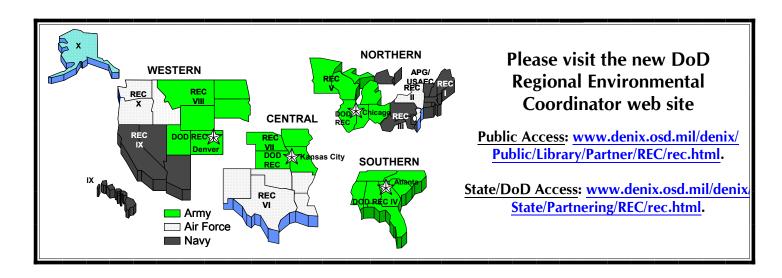
They are the flag bearers for DoD/Army positions on state and regional environmental matters, communicating them and facilitating their discussion among regulatory agencies and installations. REOs share cost-saving ideas and lessons learned with military installations and activities. They help installations prevent violations to state environmental laws and regulations, and when need be, they argue on behalf of the installations and DoD with state agencies.

Just as important is what the REOs and their staffs do not do: They do not make unilateral decisions or commitments on behalf of DoD or its components. They do not make environmental policy, or commit the resources of another component. They do not negotiate or sign agreements related to compliance, cleanup or other environmental security matters at another component's installation. And they do not bypass any component installation's chain of command.

Each of the Army's four Regional Environmental Offices publishes a monthly review of state, legislative and regulatory activity, as well as a quarterly regional newsletter and regional regulatory alerts. REO staffs also conduct roundtables and conferences on topical issues of interest to installation environmental program managers.

For more information about the REOs, please visit the REO portion of the USAEC website at http://aec.army.mil/usaec/reo/index.html.

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Iowa Army Ammunition Plant Receives Pollution Prevention Award for Environmental Excellence

By Darlene Norton - Environmental Coordinator, Iowa Army Ammunition Plant



Cartridge cases move through the high efficiency paint system that mixes paint at the nozzle to reduce solvent use and clean up time.

Photo courtesy of lowa Army Ammunition Plant

Department of Defense Pollution Prevention DENIX Resources

www.denix.osd.mil/denix/Public/ Library/Pollution/pollution.html The U.S. Environmental Protection Agency (EPA) Region 7 announced the Iowa Army Ammunition Plant (IAAAP) as a winner of the EPA 2002 Pollution Prevention Award for Environmental Excellence for the installation's High Efficiency Paint System Project.

The high efficiency paint system allows twice as many cartridge cases to be painted with the same quantity of paint used in the former system. The current painting system replaced three painting systems and reduced solvent usage up to 90 per cent at the installation. The high efficiency paint system reduced the amount of volatile organic compounds (VOCs) emitted plant wide by 14 per cent during the period from 2000 to 2001.

The EPA award recognizes a business and/or industry that demonstrates successful source reduction. Source reduction prevents the generation of waste and environmental releases and conserves natural resources. It is the preferred approach to environmental management and environmental protection. Mr. Jim Gulliford, EPA Regional Administrator, presented the award at the Region 7 Environmental and Safety Symposium on Friday, September 20, 2002, at the Fairmont Hotel on the Plaza, Kansas City, Missouri. Ms. Jean Brewster, Environmental Manager for American Ordnance, operating contractor at the IAAAP, attended the award ceremony to accept the award.

(Fort Leonard Wood Award, cont. from page 1)

Fort Leonard Wood's solid waste responsibilities include the management of 23 closed landfills that operated from the 1950s to 1994. Mapping, monitoring and maintenance of ground cover at these sites assure the disposal of solid waste in the past does not jeopardize the future of the environment or the health of our citizens. Fort Leonard Wood has also created an intensive management plan for the control of hazardous wastes which has resulted in the reduction of 58 generator sites to a more manageable 16 sites. Diversions from the waste stream have included used oil, solvents, photo processing, wet cell batteries, anti-freeze, auto paint and bead blasting media.

Utilizing strategic planning and clear waste reduction goals, along with providing an aggressive outreach and education program targeting local schools, Department of Army civilians, in addition to service members and their families, the DPW-EE continues to encourage the community to go beyond the normal disposal of trash and to instead actively participate in achieving goals of waste reduction through personal recycling efforts at home and in the work place.

The continued success of the solid waste management program on Fort Leonard Wood is the result of the efforts of not just the Directorate of Public Works but also of the concerned members of the community who participate, encouraging a bright future for the program and the local community.

Free Help

with your

Would you like some free assistance in developing your installation's Environmental Management System (EMS)? Federal facilities can obtain a "gap analysis" free of charge by requesting an Environmental Management Review (EMR) by U.S. Environmental Protection Agency (U.S. EPA) Region 7. You have the flexibility to determine the scope of the EMR. Accordingly, if you would like a complete gap analysis of all disciplines, the EPR can do it.

This is free technical expertise - not an inspection! If you are trying to decide how best to use the funds that will be allocated to each installation to develop and implement an EMS, a free gap analysis would allow you to target these funds and your efforts in the specific areas where help is needed.

The federal facilities that have used this service have given EMRs high marks. EPA does not use the EMR as an opportunity to identify violations for enforcement.

2004 is just around the corner. Don't wait until the last minute to request assistance, or you might find your installation at the end of a long line.

To schedule an EMR or get the answers to your questions about the process, contact Diana Jackson, Federal Facilities Program Manager at EPA Region 7, phone: (913) 551-7744; or e-mail: jackson.diana@epamail.epa.gov.

(TXANG, continued from page 3)

honor that can be conferred by the National Guard Bureau. Based on technical merit and excellent program management, the Eagle Award is a representation of the organization's initiative to go above and beyond to ensure the sustainability of resources for the future.

The organization's partnerships have helped develop different strategies that have sustained TXANG operations in areas such as conservation of natural and cultural resources. Examples of partnerships include the Region VI Environmental Protection Agency, the U.S. Fish and Wildlife Service, the National Soil Conservation Service, and four area universities including the University of Texas at Austin.

Through hard work, dedication and team effort the Environmental Resource Management Branch has made an indelible mark in Texas. The awards are reflections of the organization's efforts to support military mission sustainability through the preservation and conservation of the environment.

(Legally Brief, continued from page 6)

laws for sick livestock, etc.) The Supreme Court has even gone on to rule that laws that required locally generated trash to be disposed of in a local landfill violate the dormant Commerce Clause.

So, next time you are working on an environmental issue such as hazardous waste disposal, wastewater permitting, or endangered species protection, remember that you are not only working with commerce, you are also impacting interstate commerce and the constitutional authority of Congress.

Hopefully, this article will be helpful in your understanding of the authority of Congress to enact environmental laws. If you have additional questions concerning this topic, or wish to suggest future Legally Brief topics, please feel free to contact me at (816) 983-3448 or at CREO.Regional.counsel@nwk02.usace.army.mil.

New Guidance for Natural Resources Management Released

From Staff Notes

The Department of Defense (DoD) has released new guidance on managing natural resources on the more than 25 million acres of land on 425 major military installations. The guidance incorporates lessons learned from the past four years of preparing and implementing hundreds of Integrated Natural Resource Management Plans (INRMP). The INRMP is the document used by DoD to protect natural resources on its installations.

The guidance emphasizes the necessity for early coordination with all INRMP stakeholders and helps to ensure that issues are identified and resolved before INRMPs are completed. Performance metrics were also added to better monitor plan implementation.

Since 1960, the Sikes Act has required military installations to provide for the conservation and rehabilitation of natural resources on its lands. In 1997, an amendment to the Act required the military to prepare and implement INRMPs for each military installation with significant natural resources, and to do so in cooperation with the U.S. Fish and Wildlife Service and the appropriate state agencies. The new INRMPs—with their comprehensive and holistic management approach—meet the conservation requirements of the Sikes Act and focus on the preservation and maintenance of healthy and fully functional ecosystems.

Military installations are used to conduct essential military testing and training to provide for the nation's defense. Security and safety considerations require that large tracts of land on and around DoD ranges be used as buffer zones. Over the years, these zones have sheltered many rare plant and animal species. Today, DoD manages over 300 federally listed threatened or endangered species on its lands.

The new guidance may be found at www.denix.osd.mil/denix/Public/ES-Programs/Conservation/Legacy/Sikes/sikes.html.





New CREO Staff Member

The U.S. Army Environmental Center, Central Regional Office would like to introduce our new staff member, Dr. Henry Crain.

Dr. Crain is the CREO's new Senior Regional Environmental Coordinator.

Dr. Crain's previous assignment was Chief of the Environmental Restoration Division at the US Army Operations Support Command located in Rock Island, Illinois. His responsibilities included management of the Installation Restoration Program that included 30 installations in 25 states and 8 U.S. EPA Regions.

Henry can be reached at (816) 983-3459, or at henry.crain@usace.army.mil.



Installation Management Agency Activated



October 1, 2002 - A new Flag was unfurled to the public in the Pentagon Courtyard officially activating the U.S. Army Installation Management Agency.

Secretary White spoke to a crowd of Congressional delegates, Army members, and civilians in attendance to witness this first in a series of initiatives coming to fruition that will transform the way the U.S. Army "trains, equips, fights, and cares for its people."





www.ima.army.mil

From the Army News Service

A newly activated agency plans to upgrade infrastructures with help from private industry and decrease "green-suiters" in non-warfighting divisions.

The director of the Installation Management Agency told attendees of the 2002 Association of the United States Army conference that his organization will implement profound changes.

"IMA will ensure that combat readiness and well-being are both vitally important on Army installations," said Major Gen. Andy Aadland, IMA director.



IMA director.

Activated October 1, 2002 IMA is carrying out the orders of Secretary of the Army Thomas White by partnering with the private industry, Aadland said.

"The Army's housing privatization program, known as Residential Communities Initiative, provides modern, comfortable, safe communities on our posts," Aadland said. "It will expand to 28 posts by the end of fiscal year 2005, equating to 80 percent of the Army family housing inventory in the United States."

Army Chief of Staff General Eric Shinseki's plan to have 100 percent manning strength in divisions and cavalry regiments by fiscal year 2003 will also be carried out through the IMA. Some of the manpower savings created by privatization efforts will help the Army meet that goal, officials said.

"In order to make sure that the optimal amount of soldiers are in our divisions, there are fewer and fewer soldiers being assigned to garrison installations," Aadland said. "We're outsourcing to contractors, mainly former military who have done the iobs before."

While IMA has focused on family housing during its infancy stage, it will also be addressing the needs of modernizing barracks and preserving the environment, officials said.

Two IMA regions encompass the U.S. Army Environmental Center's Central Region.

The Northwest and Southwest IMA Region Offices located at Rock Island Arsenal, IL, and Fort Sam Houston, TX, assumed responsibility for installation support for U.S. soldiers, civilians and family members stationed within these regions. With military communities based in these regions, the new offices oversee all facets of support from child care to environmental protection, enabling tactical units in the region to focus on their training, deployments and operations. Visit the IMA website at www.ima.army.mil for additional information.



Ms. Jan Menig, Deputy Assistant Chief of Staff for Installation Management, and Mr. Hugh M. Exton, Jr., at the dedication ceremony of the U.S. Army IMA Southwest Region Office. Photos by Stanley Rasmussen, CREO Counsel.

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Commander, USAEC Chief, Public Affairs Chief, CREO

COL James M. De Paz **Robert DiMichele Bart Ives**

<u>Mission</u>: The CREO supports the Army and DoD mission through coordination, communication and facilitation of regional environmental activities. The Army REOs are part of a DoD network in which the Army, Air Force and Navy each has lead responsibility for mission implementation in the 10 Standard Federal regions. The CREO has DoD lead responsibility for Region 7 and Army lead responsibility for Regions 6 & 7.

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